

Planning

Growth & Development

Delegated officer report for planning application

Application no.	135739/AO/2022		
Date registered valid:	3 January 2023		
Proposal:	Installation of wrap around flex face signage, signage board and door surround.		
Address:	43 Lever Street, Manchester, M1 1FN		
Ward(s):	Piccadilly		Ward
Applicant:	Mr John Valentine		
Agent (if any):	Mr Joe Simcock Aldrock Surveyors Ltd.		
Case officer:	Gerry		Reilly
	Tel: 0161	234	4163
	Email: gerry.reilly@manchester.gov.uk		
Recommendation:	Refuse		
Date of recommendation:	17 February 2023		

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 26 January 2023

Standard consultations:

Printed: 17 January 2023 Expired: 7 February 2023

Neighbour notifications

Printed: 17 January 2023 Expired: 7 February 2023

Site notice

Posted: 26 January 2023 Expired: 16 February 2023

Press advert

Published: 24 January 2023 Expired: 14 February 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Stevenson Square Conservation Area 1987

Tree Preservation Order:

The above application relates to a building at 43 Lever Street and is within Stevenson Square Conservation Area. The building is not listed, but is considered to be a non-designated heritage asset.

Surrounding uses include residential properties, shops, cafes, restaurants, bars and offices.

Advertisement consent is sought for the display of the following:

- Installation of wrap around flex face signage, signage board and door surround and window vinyl to 1st and 2nd floors

In August 2022 advertisement consent was refused at the site for

Installation of high level banner sign.

The proposal involved installing a 13metre wide, 1.2 metre high level banner sign.

The current proposals involve:

1. A 0.88 metre high, 1.03 metre wide, 0.01 metres deep sign 6 metres above ground level;
2. A 1.125 metre high, 16 metre wide 0.196 metres deep fascia sign erected 8.33 metres above ground level;

3. A 1.125 metres high, 34.6 metre wide, 0.196 metre deep fascia sign erected 8.33 metres above ground level;
4. A 2.38 metre high, 2.175 metres wide, 0.196 metre deep fascia sign erected 5.94 metres above ground level;
5. A 3.74 metre high, 0.31 metre wide, 0.196 metre deep fascia sign erected 0.4 metres above ground level;
6. A 0.94 metre high, 1.2 metre wide, 0.01 metre deep vinyl 6 metres above ground level;
7. A 0.34 metre high, 1.03 metre wide and 0.01 metre deep fascia sign erected 6 metres above ground level.

Description of area

Description of development

Installation of wrap around flex face signage, signage board and door surround.

Consultations & Notification Responses

Publicity - The application has been advertised in the Manchester Evening News as affecting a Listed Building and affecting a Conservation Area. A site notice was displayed and the occupiers of nearby properties have been notified.

No representations have been received as a result of this publicity.

Highways - The proposed signs are located to the building's south-western and south-eastern elevations fronting on to Stevenson Square and Lever Street.

None of the proposed signs extend greater than 350mm over the adopted highway. As such, a Projection Over License will not be required.

Signage headroom clearance above the adopted footways is in excess of the 2300mm minimum requirement. The signage and door surround are located in excess of the 450mm minimum from the edge of the carriageway. The location of the proposed signage and door surround are considered acceptable by Highways.

The luminance of the proposed fascia signage is noted as 300cd/m² and is therefore below the 600cd/m² maximum stated by the Institute of Lighting Engineers. This is therefore considered acceptable by Highways.

Issues

The main issues for consideration relate to the acceptability of the proposals in terms of the impact on visual amenity and public safety. The main policies that relate to the assessment of the proposals are Sections 7 (Requiring Good Design) and 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework, policies EN3 (Heritage) and CC9 (Design and Heritage) and DM1 (Development Management) of the Core Strategy for the City of Manchester and saved policies DC14.1 and 14.5 (Shop Fronts and Related Signs), DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Highway Safety - Highways have been consulted on this issue and there have been no adverse comments

Visual Amenity

The proposal which was refused in August last year involved 2 banners, both with an overall height of 1.2 metres and width of 13 metres made from 550 gsm banner material installed with screw fixings through the eyelets of the banner into the brick.

The current proposals involve 2 x 196mm deep LED illuminated Flexiface Signage (illuminated lettering against a grey background) with overall height of 1.125 metres and a gap of 833 metres between the underside of the sign and ground level.

One sign will face Stevenson Square and will be 15.71 metres wide.

The other sign, facing Lever Street, will be 34.6 metres wide.

This application also includes additional signage:

2 x 3.74m high, 0.31 metre wide door surround signs located 0.4 metres above ground level;
A 2.38 metre high, 2.175 metre wide fascia sign located 5.94 metres above ground level on the elevation facing Lever Street.

It is proposed that the 2 x 196mm deep LED illuminated Flexiface Signage will be located above the existing fascia level of the property. The proposed signs would be positioned above the existing fascia level of the property, and that of the adjacent property, and would fail to respond appropriately to the appearance and architecture of the property and form an out-of-place feature. This would have a detrimental and unduly harmful impact on the visual amenity and character of the local area including the Stevenson Square Conservation Area which includes a number of listed buildings.

The proposed signage as a whole would result in advertisement clutter to the property. In particular, the fascia sign on the Lever Street elevation is considered to be overly large and obtrusive and would have an adverse impact on the appearance of the building.

The current proposals are significantly worse than those refused in August.

The proposed development is therefore contrary to the provisions of Core Strategy policies SP1, EN3 and DM1 of the Manchester Core Strategy (2012) and saved policies DC14, DC18 and DC19 of the Unitary Development Plan for the City of Manchester (1995), and the NPPF.

Other Legislative Requirements Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including

Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Refuse

Article 35 Declaration

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The 2 proposed LED illuminated Flexiface signs by reason of their position above the existing fascia level of the property, and that of the adjacent property, would fail to respond appropriately to the appearance and architecture of the property and form an incongruous feature. The fascia sign on the Lever Street elevation is considered to be overly large and obtrusive and would have an adverse impact on the appearance of the building and, along with the proposed door surround signs and 2 proposed LED illuminated Flexiface signs add to advertisement clutter at the property. This would have a detrimental and unduly harmful impact on the visual amenity and character of the local area including the Stevenson Square Conservation Area which includes a number of listed buildings. The proposed development is therefore contrary to the provisions of Core Strategy policies SP1, EN3 and DM1 of the Manchester Core Strategy (2012) and saved policies DC14, DC18 and DC19 of the Unitary Development Plan for the City of Manchester (1995), and the NPPF.

The proposed advertisement banner by reason of its position above the existing fascia level of the property, and that of the adjacent property, would fail to respond appropriately to the appearance and architecture of the property and form an incongruous feature. This would have a detrimental and unduly harmful impact on the visual amenity and character of the local area including the Stevenson Square Conservation Area which includes a number of listed buildings. The proposal would result in less than substantial harm to the heritage assets and there are no required public benefits to out weigh that harm. The proposed development is therefore contrary to the provisions of Core Strategy policies SP1, EN3 and DM1 of the Manchester Core Strategy (2012) and saved policies DC14, DC18 and DC19 of the Unitary Development Plan for the City of Manchester (1995), and the NPPF.

Appendix 1 – List of consultees & neighbours notified

Highway Services

47 Lever Street, Manchester, M1 1FN
Basement, 3 Stevenson Square, Manchester, M1 1DN
3A Stevenson Square, Manchester, M1 1DN
Ground Floor, 3A Stevenson Square, Manchester, M1 1DN
Basement, 26A Lever Street, Manchester, M1 1DW
32 Lever Street, Manchester, M1 1DE
1B Stevenson Square, Manchester, M1 1DN
First Floor, 1 Stevenson Square, Manchester, M1 1DN
Ground Floor And Basement, 1 Stevenson Square, Manchester, M1 1DN
5A Stevenson Square, Manchester, M1 1DN
5 Stevenson Square, Manchester, M1 1DN
45 Lever Street, Manchester, M1 1FN
Third Floor, 3 Stevenson Square, Manchester, M1 1DN
Second Floor, 3 Stevenson Square, Manchester, M1 1DN
First Floor, 3 Stevenson Square, Manchester, M1 1DN
Ground Floor, 3 Stevenson Square, Manchester, M1 1DN
Fred Aldous Ltd, 37 Lever Street, Manchester, M1 1LW
Noho Bar, Stevenson Square, Manchester, M1 1FB
Third Floor, 9 Stevenson Square, Manchester, M1 1DB
First Floor, 9 Stevenson Square, Manchester, M1 1DB
9 Stevenson Square, Manchester, M1 1DB

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Stevenson Square Conservation Area 1987
Area Team Boundary - Name: CENTRAL